

Wetlands Bureau Decision Report

Decisions Taken
03/28/2011 to 04/03/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2010-03220

TOWN OF SALEM

SALEM Unnamed Wetland Porcupine Brook

Requested Action:

Impact a total of 37,025 square feet within jurisdictional areas at thirty-nine (39) separate impact sites to include: 23,800 square feet of impact associated with the 100-foot Prime Wetland buffer and 2,860 square feet of direct impact to Town of Salem Prime Wetlands # 17 and #30 and 10,365 square feet of wetland impact to reconstruct roadways, replace and upgrade drainage facilities and upgrade utilities on Brookdale Road, Brady Avenue and Pelham Road for safe vehicular passage and improved drainage.

Conservation Commission/Staff Comments:

The Salem Conservation Commission "has voted to recommend approval of the application and plans as submitted."

APPROVE PERMIT:

Impact a total of 37,025 square feet within jurisdictional areas at thirty-nine (39) separate impact sites to include: 23,800 square feet of impact associated with the 100-foot Prime Wetland buffer and 2,860 square feet of direct impact to Town of Salem Prime Wetlands # 17 and #30 and 10,365 square feet of wetland impact to reconstruct roadways, replace and upgrade drainage facilities and upgrade utilities on Brookdale Road, Brady Avenue and Pelham Road for safe vehicular passage and improved drainage.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. revised on 12-30-2010, as received by the NH Department of Environmental Services (DES) on February 26, 2011.
2. Work within DES jurisdiction at location BA-2 (lot 7678) is contingent on obtaining written permission from that particular abutter.
3. There shall be no further alteration to jurisdictional areas without amendment of this permit.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Unconfined work within the surface waters, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Construction equipment shall not be located within surface waters.
11. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be remediated immediately following construction.
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. Currently, the existing roadways experience minor flooding and drain pipes are at risk of failure, therefore; the need for the proposed impacts have been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The project as approved and constructed in adherence to the provided construction sequences, any erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the construction.
8. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
9. Public hearing is not required with the finding that the project will not adversely impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Env-Wt 101.90.
10. A memo dated 6/21/2010 (the "Memo") from the NH Natural Heritage Bureau (NHB) identified one (1) vertebrate species within the vicinity of the proposed impacts: Redfin Pickerel (*Esox americanus americanus*).
11. NH Fish and Game, Nongame and Endanger Species Program, (NHFG) commented on the aforementioned species identified in the NHB Memo. NHFG stated, "We [NHFG] do not expect impacts to the redfin pickerel as there will be no impacts to Porcupine Brook..."
12. All affected abutters have submitted written consent for work within 20-feet of their property line in accordance with Env-Wt 304.04 except for one. That particular abutter's consent will be mailed to DES once received by Stantec. This approval is conditioned as "Work within DES jurisdiction at location BA-2 (lot 7678) is contingent on obtaining written permission from that particular abutter."
13. This project is exempt from the Stream Crossing rules, Env-Wt 900, as the Town of Salem funded and approved this project at March 13, 2010 town meeting (Article 22) .
14. DES determined that the proposed roadway improvements will not have a significant impact on the functions and values of the prime wetland resources so no mitigation is required.

**2011-00332 DARTMOUTH COLLEGE, TRUSTEES OF
HANOVER Connecticut River**

Requested Action:

Impact 3,500 sq ft along 165 linear ft of bank in order to construct a 20 ft x 10 ft concrete landing to anchor a relocated 12 ft x 80 ft floating wharf to be accessed by a 6 ft x 14 ft gangway and construct ADA compliant access and stormwater management improvements.

APPROVE PERMIT:

Impact 3,500 sq ft along 165 linear ft of bank in order to construct a 20 ft x 10 ft concrete landing to anchor a relocated 12 ft x 80 ft floating wharf to be accessed by a 6 ft x 14 ft gangway and construct ADA compliant access and stormwater management improvements.

With Conditions:

1. All work on the average of 1,470 ft of frontage shall be in accordance with plans by Milone & MacBroom dated February 4, 2011 including revisions made through March 28, 2011, as received by the NH Department of Environmental Services (DES) on March 29, 2011.

2. The removal and disposal of invasive species shall be carried out as specified on sheet D1 of the approved plan set.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All dredge or excavated materials and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
15. The replanting areas shall have at least 75% successful establishment of non-invasive vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional buffer capable of stabilizing the river bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
16. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
17. Cofferdams shall not be installed during periods of high flow (velocity), whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
18. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
19. Temporary cofferdams shall be entirely removed immediately following construction.
Work shall be done in the dry.
20. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility that provides 5 or more boat slips.
2. The applicant has an average of 1,470 feet of frontage along the Connecticut River.
3. A maximum of 20 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The combined docking facilities along the frontage provide between 5 and 8 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13. The proposed modifications will not increase the number of slips provided on the frontage.
5. Public hearing is waived with the finding that the project impacts will not impair the resources of the Connecticut River.
6. The project as proposed will relocate the existing swimming pier to an area that provides safer swimming conditions for those with physical disabilities as well as improved access to the swimming pier itself.
7. The Applicants have relocated swimming pier into a previously altered area and proposed a comprehensive revegetation plan for the site.

-Send to Governor and Executive Council-

2011-00419 SHOULDICE, GREGORY/JO ANN
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft x 46 ft seasonal dock and concrete anchor pad, restore 20 linear feet of shoreline to natural conditions, fill 720 sq ft to construct 45 linear ft of breakwater, in an "I" configuration, with a 9 ft gap at the shoreline, construct a 6 ft x 35 ft 6 in piling supported dock connected to a 6 ft x 39 ft 3 in piling supported dock by a 6 ft x 12 ft piling supported walkway, install a seasonal boatlift in the center slip, install a 3 piling ice cluster in front of the southerly slip, and install 3 tie off piles adjacent to the breakwater on an average of 320 ft of frontage on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

No Con Com comments by March 29, 2011

APPROVE PERMIT:

Permanently remove an existing 6 ft x 46 ft seasonal dock and concrete anchor pad, restore 20 linear feet of shoreline to natural conditions, fill 720 sq ft to construct 45 linear ft of breakwater, in an "I" configuration, with a 9 ft gap at the shoreline, construct a 6 ft x 35 ft 6 in piling supported dock connected to a 6 ft x 39 ft 3 in piling supported dock by a 6 ft x 12 ft piling supported walkway, install a seasonal boatlift in the center slip, install a 3 piling ice cluster in front of the southerly slip, and install 3 tie off piles adjacent to the breakwater on an average of 320 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 22, 2011, as received by the Department on February 28, 2011.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than ## feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The seasonal boat lift shall be removed for the non-boating season.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 320 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A and therefore meets Rule Env-Wt 402.13.
6. The Department approved a breakwater 3 lots to the northwest after receiving sufficient evidence submitted to support the need for a breakwater in this location.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2010-02523 NH FISH & GAME DEPARTMENT
ALTON Unnamed Stream Merrymeeting River / Alton Bay

Requested Action:

Amendment proposal for a design change to address comments made by DES Dam Safety.

APPROVE AMENDMENT:

Dredge and fill 664 sq. ft. of the dam and bank associated with Merrymeeting River in Alton (554 sq. ft. permanent and 110 sq. ft. temporary). Work consists of the removal of the deteriorated steel outlet pipe and boulder retaining wall and replacing with a new concrete/granite and rip-rap outlet structure and training wall.

With Conditions:

1. All work shall be in accordance with narratives and plans by NHDES Dam Bureau, plan sheets 1, 2, 3, 5, 6 and 7 of 8 dated August 2010 and plan sheet 8 of 8 dated April 2010, as received by the NH Department of Environmental Services (DES) on October 15, 2010 and plan sheet 4 of 8 dated August 2010, as received by DES on December 7, 2010 and plan sheets 1 through 6 of 6, as revised through January 26, 2011 and received by DES on February 18, 2011.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

DES reaffirms findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Alton Conservation Commission commented that they have no objections with the project but noted that special care should be taken to avoid working during spawning season because a sediment release could change the fishery.
6. The project is for NH Fish and Game Department, timing will be coordinated with them and the project is conditioned on proper site controls and monitoring during construction.

2010-02571 NEWBURY, TOWN OF
NEWBURY Shaw Brook

Requested Action:

Dredge and fill \pm 200 sq. ft. of Shaw Brook to replace two(2) crossings at Cheney Rd, including replacement of an existing 48-in. x 25-ft. CMP with an 83-in. x 35-ft. arch CMP and an existing 53-in. x 30-ft. CMP with an 83-in. x 40-ft. arch CMP.

Inspection Date: 10/13/2010 by Kirsten Pulkkinen

Inspection Date: 12/02/2010 by Kirsten Pulkkinen

APPROVE PERMIT:

Dredge and fill \pm 200 sq. ft. of Shaw Brook to replace two(2) crossings at Cheney Rd, including replacement of an existing 48-in. x 25-ft. CMP with an 83-in. x 35-ft. arch CMP and an existing 53-in. x 30-ft. CMP with an 83-in. x 40-ft. arch CMP.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated February 2011, as received by the Department on February 28, 2011.
2. Water diversion shall be in accordance with plans received September 23, 2010.
3. This permit is contingent on plans for stormwater improvements, including reconstructing roadside ditches to outlet to upland areas prior to flowing to Shaw Brook.
4. Work shall be done during low flow conditions.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has

returned to normal clarity.

7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Culverts shall be laid at original grade.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
25. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream.
2. The project design was completed and monies for this project were appropriated before adoption of the DES stream rules.
3. This permit is contingent on plans for stormwater improvements, including reconstructing roadside ditches to outlet to upland areas prior to flowing to Shaw Brook.
4. DES Staff conducted field inspections of the proposed project locations on October 13, 2010, and with the NH Fish and Game Department, Fisheries Division on December 02, 2010. Recommendations regarding the final and permitted culverts were provided at the inspection.
5. The proposed culverts will not overtop the road at the 50-year storm event.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-03204 HILLMAN, ANN/JOHN
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill \pm 3,444 sq. ft. and restore \pm 3,829 sq. ft. of palustrine forested wetlands for the relocation of an existing driveway.

APPROVE PERMIT:

Dredge and fill $\pm 3,444$ sq. ft. and restore $\pm 3,829$ sq. ft. of palustrine forested wetlands for the relocation of an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering dated November 10, 2010, as received by the Department on November 24, 2010.
2. This permit is contingent upon the restoration of 3,829 square feet of wetlands in accordance with plans referenced above.
3. The schedule for construction of the restoration area shall occur prior to or coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
13. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
14. The restoration area shall be regraded to original contours following completion of work.
15. Only native plant species appropriate to the area shall be planted.
16. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications and shall contain no reed canary grass (*Phalaris arundinacea*).
17. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
18. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
19. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
20. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (1) growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
22. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of restoration.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.

2. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for projects within 20 feet of abutting property lines, as required by Env-Wt 304.04.
3. The proposed impacts within the 20 foot setback will occur on a 50-foot wide and approximately 1,500 feet in length portion of the lot that accesses the useable back area of the lot.
4. The proposal will relocate the driveway from an easement on an abutting property to the applicant's parcel.
5. The applicant has attempted to contact the abutting property owner tax map/lot 407/2, including letters sent via certified mail.
6. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
7. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
8. Comments of concern were not submitted to the file.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-03387 GUARALDI, TIMOTHY & ANNA
NEWPORT Unnamed Pond

Requested Action:

Dredge \pm 7,368 sq. ft. of accumulated sediment from an existing pond and reverted palustrine emergent wetlands for pond construction, weir replacement and sediment collection area.

APPROVE PERMIT:

Dredge \pm 7,368 sq. ft. of accumulated sediment from an existing pond and reverted palustrine emergent wetlands for pond construction, weir replacement and sediment collection area.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, dated November 2010, as received by the Department on December 17, 2010.
2. All work shall be done in the dry and during low-flow or frozen conditions.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Machinery shall not be located within surface waters.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work shall not cause violations of surface water quality standards, Env-Wq 1700.
10. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. A post-construction narrative documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e), Construction of a pond with less than 20,000 square

feet of impact in a wetland or surface waters.

2. The proposed project has received support and funding from the NH Fish and Game Department.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00082

CROWE, CHRISTOPHER

BETHLEHEM

Requested Action:

Dredge and fill 9,950 square feet of wetlands for the construction of a gravel area to be used for unloading and loading of commercial equipment.

APPROVE PERMIT:

Dredge and fill 9,950 square feet of wetlands for the construction of a gravel area to be used for unloading and loading of commercial equipment.

With Conditions:

1. All work shall be in accordance with the plans by Headwaters Hydrology entitled Christopher Crowe Route 116 Facility and Equipment Transfer Area (sheets 1-3 of 3) dated December 2010 as revised March 2011 and received by DES on March 11, 2011.
2. The permittee shall delineate the areas of wetlands impacted on the site and depict the delineation as an overlay in a final as-built plan submitted to the department within 60 days of the completion of construction. The area of wetlands impacted shall be quantified.
3. This permit is contingent on approval by the Hazardous Waste Remediation Bureau.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A grass lined swale will be installed near the top of the proposed fill slope for the full length of the gravel transfer area.
6. Long-term erosion and sediment control will be provided by vegetation of the fill slopes.
7. The project will allow pavement to remain un-damaged by heavy equipment, preventing the infiltration of runoff which could possibly contribute to off-site migration of contaminated groundwater.
8. The applicant has contacted the NHDES Hazardous Waste Remediation Bureau.
9. The Bethlehem Conservation Commission commented that they have no objection to the project and that they would recommend a follow-up visit by a DES Wetlands Specialist.
10. The Ammonoosuc River Local Advisory Committee commented that they have reviewed the project and have no problem with it provided that the project meets all requirements placed on it by DES.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.

MINIMUM IMPACT PROJECT

2011-00407 LEVASSEUR, RAYMOND
TILTON Silver Lake

Requested Action:

Proposal to fill 1,471 sq. ft. of previously disturbed poorly drained floodplain wetlands to help with flooding from Silver Lake and adjacent wetlands.

Conservation Commission/Staff Comments:

1. The Conservation Commission did not sign the application and provided comments.

DENY PERMIT:

Deny proposal to fill 1,471 sq. ft. of previously disturbed poorly drained floodplain wetlands to help with flooding from Silver Lake and adjacent wetlands and protect a camp.

With Findings:

Standard for Approval:

1. This is a Minimum Impact Project per NH Code of Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Env-Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Env-Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. The applicant is required to submit to the department all information in accordance with Rule Env-Wt 501.02(a)(2), along with a completed application.

Findings of Fact:

8. The department received a Minimum Impact Expedited Application on February 23, 2011, to fill poorly drained flood plain wetlands to help with flooding from Silver Lake and adjacent wetlands and protect the existing camp.
9. The department accepted the application on February 23, 2011.
10. The Tilton Conservation Commission did not sign the Minimum Impact Application but provided a letter dated February 22, 2011 to the department stating they did not sign the application due to the following concerns:
Where is the 100 year flood plain line; Where are the projected waters going to flow; Will the current fill be removed; What type of new fill is to be used; Silt controls measures are not included in the plan; How will the area be stabilized when complete; Has the applicant spoken with the Sewer Commission to determine how the sewer line and manhole will be impacted; The abutter across Pearl Street and the Sewer Commission should be notified of the application; The letter to abutters should be corrected to read "Town of Tilton" rather than "Town of Barnstead"; and The Commission would like to conduct a site walk in the spring.
11. The Tilton Conservation Commission, Chair submitted additional comments to the department on March 22, 2011 (via e-mail) indicating that while visiting the site during the spring in recent years, much of the land recently acquired from the town was under water and he cannot imagine that area being filled.
12. On March 28, 2011 an abutter to the property submitted comments to the department(via e-mail) conveying disapproval of filling wetlands that borders their property because they believe it could cause flooding on their property and destroy the wildlife that lives there and would like to see it stay the way it is now.
13. The drawing received by the department on February 23, 2011 did not include information in accordance with Env-Wt 501.02(a)(2), specifically the location of wetlands delineated in accordance with Env-Wt 301.01; proposed topography; and proposed methods of erosion and siltation controls.
14. The plans submitted with the application, which identify the 100 year flood elevation and provide a limited wetland delineation, and the photographs submitted with the application both depict a residence that was constructed on pilings and in a wetland that is located within the 100 year floodplain.

Findings in Support of Denial:

15. The applicant has failed to address demonstrated need pursuant to Env-Wt 302.01(b), to the department's satisfaction, and therefore is denied in accordance with Env-Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.
16. The applicant failed to address Env-Wt 302.03(a) and Env-Wt 302.04(b)(5), and therefore is denied in accordance with Env-Wt 302.04(d)(1), as there may be practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
17. The applicant has failed to address Env-Wt 302.04(b)(3) and therefore is denied in accordance with Env-Wt 302.04(d)(2) as the project would cause or contribute to significant degradation of waters of the state.
18. The applicant has failed to provide all of the information required in accordance with Env-Wt 501.02(a)(2) and the application is denied in accordance with Env-Wt 302.04(d)(1), as there may be practicable alternatives that would have a less adverse impact on the areas and environments under the department's jurisdiction.
19. The applicant has failed to address Env-Wt 302.04(b)(4) and therefore is denied in accordance with Env-Wt 302.04(e)(2), as the applicant did not consider impact upon abutting owners.

FORESTRY NOTIFICATION

2011-00569 FULLERTON, DWAYNE
NORTH SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R9, Lot# 45

2011-00624 SISTER OF THE PRESENTATION OF MARY
HUDSON Unnamed Stream

COMPLETE NOTIFICATION:
Hudson Tax Map 210, Lot# 10

2011-00640 KUCHINOS, JILL/MICHAEL
SHARON Unnamed Stream

COMPLETE NOTIFICATION:
Sharon Tax Map 3, Lot# 43

EXPEDITED MINIMUM

2010-03448 PRIMROSE REALTY TRUST
MEREDITH Lake Winnepesaukee

Requested Action:

Approve name change to: Primrose Realty Trust, PO Box 1579, Meredith, NH 03253 per request received 3/31/2011. Previous owner Kenneth/Marion Wood.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE NAME CHANGE:

Permanently remove an existing 4 ft 6 in x 29 ft seasonal dock and install a 6 ft x 40 ft seasonal dock with a 3 ft x 7 ft concrete anchor pad, install a seasonal boatlift in the northern slip, install 2 PWC lifts along the shoreline to the north of the dock, on an average of 75 feet of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated December 17, 2010, as received by the NH Department of Environmental Services (DES) on December 29, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The existing seasonal dock shall be completely removed prior to the installation of these permitted structures.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Seasonal PWC lifts shall be removed for the non-boating season.
8. The seasonal boatlift shall be removed for the non-boating season.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2011-00497 CZUBARUK, KATHLEEN
GILFORD Lake Winnepesaukee

Requested Action:

Construct a 576 sq ft perched beach with 6 ft wide access stairs to the water on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 576 sq ft perched beach with 6 ft wide access stairs to the water on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans dated as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2011-00543 DAVIS, STEVE
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing 12 ft x 18 ft dock supported by a 12 ft x 16 ft crib, accessed by a 4 ft x 48 ft 9 in seasonal walkway on an average of 80 feet of frontage, Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 12 ft x 18 ft dock supported by a 12 ft x 16 ft crib, accessed by a 4 ft x 48 ft 9 in seasonal walkway on an average of 80 feet of frontage, Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated March 08, 2011, as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.

3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. Comparison of photographs from the 1992 file and current photographs indicate the docking structure has the same dimensions, the plan in the 1992 file included incorrect dimensions.

GOLD DREDGE

2011-00623 STONE, THOMAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

TRAILS NOTIFICATION

2011-00598 HUDSON, TOWN OF
HUDSON Unnamed Wetland

COMPLETE NOTIFICATION:
Hudson Tax Map 185, Lot# 40

LAKES-SEASONAL DOCK NOTIF

2011-00600 MEYER, RICHARD/MARIA
LEE Wheelwright Pond

COMPLETE NOTIFICATION:

Lee Tax Map 11, Lot# 4 Wheelwright Pond

2011-00626 HAZZARD, CHARLES
RUMNEY Stinson Lake

COMPLETE NOTIFICATION:

Rumney Tax Map 2, Lot# 1016 Stinson Lake

2011-00638 SOULIOTIS, FRANK
ANDOVER Highland Lake

COMPLETE NOTIFICATION:

Andover Tax Map 10, Lot# 194 Highland Lake

2011-00639 TINKHAM, BETSY
WAKEFIELD Balch Pond

COMPLETE NOTIFICATION:

Wakefield Tax Map 94, Lot# 15 Balch Pond

PERMIT BY NOTIFICATION

2011-00548 WINNACUNNET CO OP SCHOOL DISTRICT
HAMPTON Unnamed Pond

Requested Action:

In-kind rebuild of an existing, failed earthen berm for continued usefulness of the existing pond.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind rebuild of an existing, failed earthen berm for continued usefulness of the existing pond.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2011-00583 177 POOR ROAD REALTY TRUST
NEW LONDON Unnamed Wetland

Requested Action:

Temporarily impact \pm 103 sq. ft. of palustrine forested wetland to install a residential sewer force main.

PBN IS COMPLETE:

Temporarily impact \pm 103 sq. ft. of palustrine forested wetland to install a residential sewer force main.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(13), The installation of a residential utility line that meets the criteria of Env-Wt 303.04(ae).
3. Comments of concern were not submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

CSPA PERMIT

2009-01277 SZEMPLINSKI, JACK
ALTON Lake Winnepesaukee

Requested Action:

Impact 24,000 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 24,000 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans and restoration plans by Benchmark Engineering, Inc., last revised October 12, 2009, and received by the Department of Environmental Services ("DES") on December 21, 2009.
2. No more than 16.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. No impacts to natural ground cover shall occur within the waterfront buffer beyond that necessary for construction of the proposed boathouse and a single 6 foot wide walkway to the waterbody.
6. The vegetation planted within both the natural woodland and waterfront buffers shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period five years following construction.
7. In order to become compliant with RSA 483-B:9, V, (b), (2), at least 9,018 sq ft of area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES, must be allowed to revert to an unaltered state and be maintained in an unaltered state condition.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state as delineated on plans received by DES.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

**2010-03202 NEW HAMPSHIRE FISH AND GAME DEPARTMENT
ORFORD Connecticut River**

Requested Action:

Impact 22,261 sq ft in order to relocate a boat launch, construct parking area and regrade drainage swales.

APPROVE PERMIT:

Impact 22,261 sq ft in order to relocate a boat launch, construct parking area and regrade drainage swales.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford & Thorndike, LLC dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on March 2, 2011.
2. No more than 7.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,465 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. On November 24, 2010 the Department received a Shoreland Application from New Hampshire Fish & Game Department for the purpose of relocating a boat ramp, modify and expand parking lot.
2. On December 27, 2010 the Department received a letter from the Upper Valley River Subcommittee of the Connecticut River Joint Commissions stating concerns for: Parking, Roadways, and Pathways, Vegetation and Plantings, Boat Launch, Dry Hydrant, Information Kiosk, and Portable Toilet.
3. Shorelands can only comment and impose what is relevant to the rules found within NH Code of Administrative Rules Env-Wq 1400 and RSA 483-B.
4. On February 22, 2011 received responses to LRAC comments.

5. Parking, Roadways and Pathways have been designed to control runoff. The impervious area does not exceed 20%.
6. The waterfront buffer will be replanted to meet the required 50 points per segment.
7. Swales have been designed to catch stormwater runoff and treated before entering the river.

2011-00434 DEFEO, STEVE
STRAFFORD Bow Lake

Requested Action:

Impact 16,695 sq ft for the purpose of constructing a primary structure, detached garage, driveway, and associated impacts.

APPROVE PERMIT:

Impact 16,695 sq ft for the purpose of constructing a primary structure, detached garage, driveway, and associated impacts.

With Conditions:

1. All work shall be in accordance with plans by Geometres dated February 18, 2011, revised March 18, 2011 and received by the NH Department of Environmental Services (DES) on March 22, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau. Specifically the proposed perch beach, steps, and 6 ft x 40 ft docking structure will require a separate permit from the DES Wetlands Bureau.
3. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
4. No more than 13.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 14,949 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00471 CIRURSO, LINDA
BRIDGEWATER Newfound Lake

Requested Action:

Impact 5,625 sq ft for the purpose of reconstructing a pre-existing nonconforming primary structure in kind and installing stormwater controls.

APPROVE PERMIT:

Impact 5,625 sq ft for the purpose of reconstructing a pre-existing nonconforming primary structure in kind and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Shering Associates, LLC., last revised February 4, 2011 and received by the Department of Environmental Services ("DES") on March 7, 2011.
2. No more than 24.7% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless

additional approval is obtained from DES.

3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,563 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES, must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2011-00496 COLLEEN K GARRITY 2010 TRUST
LACONIA Winnisquam Lake

Requested Action:

Impact 2,392 sq ft in order to expand existing structure.

APPROVE PERMIT:

Impact 2,392 sq ft in order to expand existing structure.

With Conditions:

1. All work shall be in accordance with plans by Larry Trombetta dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 11, 2011.
2. No more than 8.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,810 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00513 THOMAS JEFFREY HOLDINGS
WINDHAM Cobbett's Pond

Requested Action:

Impact 1,615 sq ft in order to remove existing structures and rebuild new structure with deck, septic system and driveway.

APPROVE PERMIT:

Impact 1,615 sq ft in order to remove existing structures and rebuild new structure with deck, septic system and driveway.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 14, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00523 NH DEPT OF TRANSPORTATION
HOOKSETT Pinnacle Pond

Requested Action:

Impact 18,885 sq ft for the purpose of expanding an existing public roadway.

APPROVE PERMIT:

Impact 18,885 sq ft for the purpose of expanding an existing public roadway.

With Conditions:

1. All work shall be in accordance with plans by GZA Environmental, Inc., dated January, 2011, and received by the Department of Environmental Services ("DES") on March 15, 2011.
2. No increases in impervious area shall occur beyond that necessary for expanding the public roadway as delegated on plans received by DES on March 15, 2011.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2011-00525 NH FISH & GAME DEPARTMENT
CONCORD Hot Hole Pond

Requested Action:

Impact 3,864 sq ft in order to upgrade existing boat launch facilities.

APPROVE PERMIT:

Impact 3,864 sq ft in order to upgrade existing boat launch facilities.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spfford & Thorndike dated February 24, 2011 and received by the NH Department of Environmental Services (DES) on March 15, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 16.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00527 SULLIVAN, DAVID/NANCY
BRIDGEWATER Newfound Lake

Requested Action:

Impact 9,054 sq ft in order remove existing cottage and construct a new dwelling and garage located outside of the 50 ft waterfront buffer.

APPROVE PERMIT:

Impact 9,054 sq ft in order remove existing cottage and construct a new dwelling and garage located outside of the 50 ft waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by B. A. Barnard Enterprises, Inc. dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on March 7, 2011.
2. No more than 18.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,268 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00555 **BLAKE, ROBERT**
WARNER Tom Pond

Requested Action:

Impact 2,096 sq ft in order to install a foundation under main structure with an increase in footprint for main structure and shed.

APPROVE PERMIT:

Impact 2,096 sq ft in order to install a foundation under main structure with an increase in footprint for main structure and shed.

With Conditions:

1. All work shall be in accordance with plans by Begin Constuction, LLC dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March, 21, 2011.
2. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,000 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00577 **VISTA ROAD LLC**
NEW BOSTON Piscataquog River

Requested Action:

Impact 4,350 sq ft in order to construct a driveway.

APPROVE PERMIT:

Impact 4,350 sq ft in order to construct a driveway.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates, Inc. dated January 20, 2011 and received by the NH Department of Environmental Services (DES) on March 23, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 1.39% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 5,527 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00582 SAMOSET CONDO ASSOCIATION
GILFORD Lake Winnepesaukee

Requested Action:

Impact 41 sq ft in order to expand an existing porch.

APPROVE PERMIT:

Impact 41 sq ft in order to expand an existing porch.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 24, 2011.
2. No more than 21.24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,641 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-02588 LOWELL, DRENNAN
DERRY Island Pond

Requested Action:

Impact 2,050 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system.

APPROVE PERMIT:

Impact 2,050 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by V.W. Dingman and Sons, dated May 11, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 20.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Island Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of a drywell that will be capable of infiltrating stormwater from the proposed structure.
4. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
5. The applicant has proposed to construct the new primary structure with a greater setback from the reference line.
6. The applicant has proposed to install stormwater controls, install a new septic system and achieve a greater setback, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-00380 CITY OF PORTSMOUTH SCHOOL DEPARTMENT
PORTSMOUTH South Mill Pond**

Requested Action:

Impact 15,004 sq ft for the purpose of expanding and renovating a public school and associated accessory structures.

APPROVE PERMIT:

Impact 15,004 sq ft for the purpose of expanding and renovating a public school and associated accessory structures.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with revised plans by Vanasse, Hangen Brustilin, Inc., dated March 23, 2011 and received by the Department of Environmental Services ("DES") on March 28, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 55.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The permit is contingent upon receiving all necessary approval from the NH DES Alteration of Terrain Bureau.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. No impacts to natural ground cover shall occur within the waterfront buffer.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to a tidal region of the Atlantic Ocean, and therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting stormwater bio-retention systems.
5. The applicant has proposed to remove approximately 9 acres of stormwater flow to the municipal sewer treatment center. The stormwater will be treated on site.

6. The applicant has proposed to reduce the total impervious area and install innovative stormwater treatment measures, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2011-00604 PSNH
HILLSBOROUGH Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00605 PSNH
HINSDALE Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00606 PSNH
HOLDERNESS Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00607 PSNH
HOOKSETT Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00608 PSNH
HOPKINTON Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00609 PSNH
JAFFREY Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00610 PSNH
LACONIA Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00628 PSNH
LOUDON Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00629 PSNH
MEREDITH Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00630 PSNH
MIDDLETON Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00631 PSNH
MILTON Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00632 PSNH
NEWMARKET Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00634 PSNH
PITTSFIELD Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00635 PSNH
PETERBOROUGH Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00651 PSNH
PLYMOUTH Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00652 PSNH
RUMNEY Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount

2011-00653 PSNH
WAKEFIELD Unnamed Wetland

Conservation Commission/Staff Comments:
See file 11-15 for fee amount